

EXHIBIT H

**MINA HAMILTON - RE: FW: DMV.ORG- Redaction of Contact
Info.InConsumer/Gov.EmployeesActual Confusion Evidence (251)**

From: "Brian Daucher"
To: "DAN DECARLO" , "Joseph Tadros"
Date: 7/11/2007 11:19 AM
Subject: RE: FW: DMV.ORG- Redaction of Contact Info.InConsumer/Gov.EmployeesActual Confusion Evidence (251)
CC: "MINA HAMILTON" , "DAVID MAKOUS"

Dan,

1. Emails. Your use of the perjorative "victim" designation belies a small lack of professionalism - can we cut that out? Our proposal, that there be mutual stipulations, seems entirely unobjectionable, especially with relevance reserved. I see no reasoned objection in your response. We will have the same issue, possibly, with emails to TS.com, drivinglinks.com, and DED.com; how will the analysis then be different? This is typical of your negotiating approach to date: demand, but don't give (repeatedly). I don't think forcing an ex parte to avoid a mutual agreement is going to be viewed favorably by the Court. I know some courts allow emails on the "state of mind" exception; the fact is, others don't. Neither of us needs or benefits from the mutual uncertainty there and we are close to a mutual reasoned path around it. The only element lacking now is mutuality. Agree and we are done on that point.

2. We are going to produce cost information as well as MJ to testify about that information. We proposed 2006 in meet and confer and I believe that was agreed. Do you have record otherwise? We continue to contend that TS.com lacks standing given the absence of damage and also lacks any equitable claim to 1117 type damages. That said, we have testified already about financial information without any instruction - during that testimony, I don't think you even bothered to ask about years prior to 2006.

3. Depos. This is the first I have heard about possible depositions for this Friday (I believe). We will get dates for Flack and Jacobsen and the completion of Moretti. But we are unavailable Friday.

Regards,

Brian.

From: DAN DECARLO [mailto:DECARLO@ibbslaw.com]
Sent: Tuesday, July 10, 2007 3:25 PM
To: Brian Daucher; Joseph Tadros
Cc: MINA HAMILTON; DAVID MAKOUS
Subject: RE: FW: DMV.ORG- Redaction of Contact Info.InConsumer/Gov.EmployeesActual Confusion Evidence (251)

Brian:

1. VICTIM CONTACT INFORMATION: We cannot agree to stipulate to waive all objections to our clients' e-mails other than relevancy. We will stipulate to the authenticity of the e-mails but as we don't even know what e-mails you hope to introduce, or even for what purpose, we cannot stipulate to a blanket waiver. We see no relationship between our e-mails and the e-mails to your clients from those who are victims of deception. We are willing to stipulate to the admissibility of your client's e-mails in exchange for not pushing you to provide us with the contact information for the victims. We would agree that you can argue the e-mails mean whatever you want to argue they mean- we are not asking you to stipulate that the e-mails are in fact evidence of deception. As an initial matter, we think the law is clear that the e-mails evidencing deception are not hearsay and are admissible, (the e-mails are not offered for the truth of the matter asserted in the e-mail, just that the writer is

deceived as to whom they are writing to) and more to the point of our proposal, it is wholly incongruent for you to argue the victim's e-mails are hearsay but then block access to the victims, the identities of whom are solely within your clients' possession. Your position is untenable. We suggest you agree to our proposal or else we will move to compel the contact information.

2. DMV.ORG FINANCIALS: To date all we have received from you are reports from 2006. We have yet to receive a response to our meet and confer regarding the remainder of the relevant financial data of your client which we require. We need this information to take the next round of depositions. Please advise immediately what your position is in that regard. Obviously, if you are not willing to cooperate, we will have no choice but to move to compel.

4. DMV DEPOSITIONS: We have blocked Friday as a deposition day for the continuance of the 30b6 both as to Mr. Flack and your financial witness (although the value of the financial witness will be marginal if you don't complete the financial disclosures prior to the deposition). We have not received confirmation that those depositions will take place. We are also willing to take Dan Negrón's deposition on Friday if he is available. We can fit all three depositions in on that day. Please advise immediately as we need to appropriately prepare.

Regards.

Daniel C. DeCarlo
Lewis Brisbois Bisgaard & Smith
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Los Angeles, Ca. 90012
213-680-5066
310-213-1732 (cell)
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From: "Brian Daucher" <BDaucher@sheppardmullin.com>
To: "DAN DECARLO" <DECARLO@lbbslaw.com>, "Joseph Tadros" <JTadros@sheppardmullin.com>
Date: 7/10/2007 10:48 AM
Subject: RE: FW: DMV.ORG- Redaction of Contact Info. InConsumer/Gov.EmployeesActual Confusion Evidence (251)
CC: "MINA HAMILTON" <HAMILTON@lbbslaw.com>, "DAVID MAKOUS" <MAKOUS@lbbslaw.com>
Dan,

We could agree on the points below. Of course, we are not stipulating that the emails demonstrate deception and both sides would remain free to argue the meaning of the emails without arguing about the absence of the witnesses. This stipulation itself would also not be admissible.

And, the stipulation will have to be a two way street. That is, trafficschool.com and drivinglinks.com and even driversedirect.com will likely have emails from visitors that show some level of confusion or negligence as well. You don't have to stipulate to the relevance of these items, but you will have to agree that the same foundation/hearsay/absence of witness points will apply.

It sounds like we are almost there, we look forward to your agreement, regards,

Brian.

From: DAN DECARLO [mailto:DECARLO@lbbslaw.com]
Sent: Monday, July 09, 2007 5:32 PM
To: Brian Daucher; Joseph Tadros
Cc: MINA HAMILTON; DAVID MAKOUS
Subject: RE: FW: DMV.ORG- Redaction of Contact Info. InConsumer/Gov.EmployeesActual Confusion Evidence (251)